

## **ORDINANCE 04-18**

### **AN ORDINANCE TO AMEND THE ZONING ORDINANCE #04-09, OF THE TOWN OF NOLENSVILLE, TENNESSEE**

WHEREAS, the Town of Nolensville enacted Zoning Ordinance 04-09 in 2004. Prior to the enactment of 04-09, the Town enacted Ordinance #98-22 in 1998 which amended the initial zoning ordinance of the Town of Nolensville. Subsequent amendments have been enacted prior to the enactment of Ordinance 04-09; and

WHEREAS, The Town of Nolensville Planning Commission met on October 14, 2004; and

WHEREAS, The Town of Nolensville Planning Commission approved various amendments to Zoning Ordinance #04-09; and

WHEREAS, the Town of Nolensville Planning Commission has recommended the amendments to the Nolensville Board of Mayor and Aldermen,

NOW, THEREFORE BE IT ORDAINED BY THE BOARD AND MAYOR AND ALDERMAN, that Zoning Ordinance 04-09 of the Town of Nolensville is amended by revising said ordinance as follows:

#### **SECTION 1:**

The following shall be added to the Table of Contents:

2.3.22 Car Wash

#### **SECTION 2:**

The existing section is being amended by inserting the following wording:

##### **2.1.0 Zoning Districts Established**

There shall be eight (8) base zoning districts in Nolensville and **four (4)** overlay zoning districts (an Open Space Development Overlay, a Historic District Overlay, **a Planned Unit Development and a Flood Plain Overlay District.**) The four overlay district address specific aspects of land use control and development design that transcend conventional zoning districts. The overlay districts shall represent mapped geographic areas and shall be applied to the Official Zoning Map.

#### **SECTION 3:**

The Zoning Ordinance shall be amended as follows:

Delete	2.1.0	Replace with	2.2.0
	2.1.1		2.2.1
	2.1.2		2.2.2
	2.1.3		2.2.3
	2.1.4		2.2.4
	2.1.5		2.2.5
	2.1.6		2.2.6
	2.1.7		2.2.7
	2.1.8		2.2.8
	2.1.9		2.2.9
	2.1.10		2.2.10
	2.1.11		2.2.11
	2.1.12		2.2.12

#### **SECTION 4:**

##### **2.2.1 Estate Residential (ER)**

Delete the following in its entirety:

**Conservation Easement** Dedicated open space shall be protected through a legally binding conservation easement.

#### **SECTION 5:**

##### **2.2.1 Estate Residential (ER)**

##### **Accessory Buildings**

Delete (a) (1) and (2) in it's entirety and insert:

- (a) (1) The Mayor or his designee is authorized to approve one Accessory Building for each lot.

(2)	<u>Lot Size</u>	<u>Building Size</u>
	Up to Three Acres	1200 Square Feet
	Up to Five Acres	1500 Square Feet
	Five Acres or More	2000 Square Feet
	No Accessory Building shall exceed 2000 Square Feet	

#### **SECTION 6:**

##### **2.2.1 Estate Residential (ER)**

Delete the following in its entirety:

**Conservation Easement** Dedicated open space shall be protected through a legally binding conservation easement.

**SECTION 7:**

**2.2.2 Suburban Residential (SR)**

**Accessory Buildings**

Delete (a) (1) and (2) in it's entirety and insert:

(a) (1) The Mayor or his designee is authorized to approve one Accessory Building for each lot.

(2)	<u>Lot Size</u>	<u>Building Size</u>
	Up to Three Acres	750 Square Feet
	Three Acres or more	1200 Square Feet
	No Accessory Building shall exceed 1200 Square Feet	

**SECTION 8:**

**2.2.3 Urban Residential (UR)** amended as follows:

**2.2.4 Urban Residential (UR)**

**SECTION 9:**

**2.2.4 Urban Residential (UR)**

**Accessory Buildings**

Delete (a) (1) and (2) in it's entirety and insert:

(a) (1) The Mayor or his designee is authorized to approve one Accessory Building for each lot.

(2)	<u>Lot Size</u>	<u>Building Size</u>
	Up to Three Acres	600 Square Feet
	Three Acres or more	750 Square Feet
	No Accessory Building shall exceed 750 Square Feet	

**SECTION 10:**

**2.2.4 URBAN RESIDENTIAL (UR)**

Delete the following heading in its entirety:

## **URBAN RESIDENTIAL DISTRICT DESIGN SUPPLEMENTAL STANDARDS (See Appendix D)**

### **SECTION 11:**

#### **2.2.5 Village (V)**

##### **Accessory Buildings**

Delete (a) (1) and (2) in it's entirety and insert:

(a) (1) The Mayor or his designee is authorized to approve one Accessory Building for each lot.

(2)	<u>Lot Size</u>	<u>Building Size</u>
	Up to Three Acres	750 Square Feet
	Three Acres or more	1000 Square Feet
	No Accessory Building shall exceed 1000 Square Feet	

### **SECTION 12:**

The existing sections is being amended by inserting the following wording:

2.2.6 **Village Fringe (VF)** The purpose of this district is to provide a transitional area between the Village District and **the Estate Residential District to the South** to allow for graduated increase in setbacks, bulk regulations, and green space. This district allows all types of retail, service and office uses.

### **SECTION 13:**

#### **2.2.6 Village Fringe (VF)**

The existing sections is being amended by inserting the following wording:

##### **Accessory Buildings**

(h) Except for accessory buildings that are essential to the general farming activities conducted on the property, no accessory building shall exceed **20** feet in height measured from the lowest ground level of the structure to the highest point of the roof.

### **SECTION 14:**

#### **2.2.11 Planned Unit Development Overlay (PUD)**

### **Specific standards and criteria for Planned Residential Developments.**

The following insertion is being made after **Pedestrian circulation**

#### **Density of Development and Lot Size.**

The maximum standard base zone density shall be 1.8 units/acre. For single-family detached housing units the minimum lot size shall be 11,000 square feet. When a plan includes attached housing, the lot size requirement shall not apply, and the density shall be the controlling factor. Attached housing sites shall be calculated separately from single-family sites. Abutting lots in the first tier of lots of the new development shall have equal size lots as those in an adjoining recorded subdivision or an equivalent amount of common open space located between the 1st tier of lots in the planned unit developments and the existing subdivision.

#### **Permitted Uses.**

- Single-Family Detached Homes
- Attached Housing
- Accessory Home Day Care
- Parks

#### **Conditional Uses.**

- Home Occupations
- Day Care Home
- Utility Facilities

#### **Prohibited Uses.**

Any use not permitted above by right or conditional use shall be prohibited.

### ***SECTION 15:***

#### **2.2.11 Planned Unit Development Overlay (PUD)**

Delete the following in it's entirety and insert the following section:

### **Specific Standards and Criteria for Planned Commercial Developments**

The planning commission may approve, approved with conditions, or disapprove a master plan for the overall development of a tract of land with a minimum of five (5) acres in size that includes a planned commercial development. Any acreage

designated to commercial will be deducted from the overall density calculations. Such commercial facilities shall be designed to compliment the residential portion of the plan and shall be limited in size and scope of uses. Architectural controls and landscaping and screening buffers shall be a consideration of the planning commission. Adequate frontage on a public street shall be required. In the event that individual lots are created for sale or lease that are internal to the planned unit development, each such lot shall be guaranteed access from either a public street or a private street with use and access agreements.

The following standards shall apply:

**Permitted Uses.**

- Professional Offices
- Medical Offices
- Personal Services
- Business Services
- Financial Institutions
- Restaurants (excluding drive-thru operations)
- General Retail (excluding auto sales)
- Convenience Stores
- Residential Apartments (on second and third floors only)
- Governmental Offices

**Prohibited Uses.**

Any use not permitted by is specifically prohibited.

**Bulk Requirements.**

Minimum land area: five (5) acres

Minimum lot size: No minimum lot size is required for commercial. Lots and structural locations shall be established by approval of the final plan.

Setbacks: External setbacks shall be: front – 25 feet  
side – 35 feet  
rear – 35 feet

Internal setbacks – established by the final plan

Maximum floor area ratio: .15

Maximum first floor area per use: 10,000

Maximum height: 3 stories or 35 feet

Maximum Impervious Surface Ratio: .80

## **SECTION 16:**

The existing section is being amended by inserting the following wording:

### **2.3.22 Car Wash**

H. Automatic Car Wash.

1. One automatic car wash, capable of washing only one car at a time, shall be located 50' away from any residential zone district or district permitting residential use. There shall be **no more than two (2)** wand car washes to every one automatic car wash.

## **SECTION 17:**

The existing section is being amended by inserting the following wording:

### **Article 4 – Temporary Use Regulations**

#### **4.1.3 E. Produce or Farm Stand**

Permitted in the **VF**, ER, V, CS and PI zoning districts.

#### **F. Temporary Festival**

Permitted in the **VF**, ER, V, CS, OI and PI zoning districts.

## **SECTION 18:**

The existing section is being amended by inserting the following wording:

### **Appendix A Sign Regulations**

#### **1.10.4 Time Limits**

F. Produce signs. Such signs as are allowed in Article may be erected during the marketing season for produce items and shall be removed immediately after the marketing season based on normal agricultural practices. **Refer to Article 4 page 89 (E) Produce or Farm Stand.**

SECTION 19. The provisions contained herein shall be incorporated in the zoning ordinance #04-09, as amended, which ordinance shall now be designated as ordinance #04-09. The adoption of this ordinance is the adoption of the entire zoning ordinance as modified and amended by this ordinance and the Zoning Ordinance shall hereinafter be referred to as ordinance #04-09.

SECTION 20. The Mayor and Board of Alderman of the Town of Nolensville, Tennessee, hereby certify that these Amendments have been submitted by the Planning Commission of the Town of Nolensville, and a notice of hearing thereof has been ordered of the time and place of said meeting has been published in a newspaper circulated in the Town of Nolensville, Tennessee. This Ordinance shall take effect immediately from the date of its final passage, the public welfare demanding it.

\_\_\_\_\_  
Charles F. Knapper, Mayor

Attest: \_\_\_\_\_  
Town Recorder

Approved by: \_\_\_\_\_  
Town Attorney

Passed 1<sup>st</sup> Reading: \_\_\_\_\_

Passed 2<sup>nd</sup> Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_